

1 WILLIAM A. ISAACSON (*Pro hac vice*)

2 (wisaacson@bsflp.com)

3 STACEY K. GRIGSBY (*Pro hac vice*)

4 (sgrigsby@bsflp.com)

5 NICHOLAS WIDNELL (*Pro hac vice*)

6 (nwidnell@bsflp.com)

7 BOIES SCHILLER FLEXNER LLP

8 1401 New York Avenue, NW

9 Washington, DC 20005

10 Tel: (202) 237-2727; Fax: (202) 237-6131

11 RICHARD J. POCKER #3568

12 (rpocker@bsflp.com)

13 BOIES SCHILLER FLEXNER LLP

14 300 South Fourth Street, Suite 800

15 Las Vegas, Nevada 89101

16 Tel: (702) 382-7300; Fax: (702) 382-2755

17 DONALD J. CAMPBELL #1216

18 (djc@campbellandwilliams.com)

19 J. COLBY WILLIAMS #5549

20 (jcw@campbellandwilliams.com)

21 CAMPBELL & WILLIAMS

22 700 South 7th Street

23 Las Vegas, Nevada 89101

24 Tel: (702) 382-5222; Fax: (702) 382-0540

25 *Attorneys for Defendant Zuffa, LLC, d/b/a*

26 *Ultimate Fighting Championship and UFC*

17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 Cung Le, Nathan Quarry, Jon Fitch, Brandon

20 Vera, Luis Javier Vazquez, and Kyle Kingsbury,

21 on behalf of themselves and all others similarly

22 situated,

23 Plaintiffs,

24 v.

25 Zuffa, LLC, d/b/a Ultimate Fighting

26 Championship and UFC,

27 No.: 2:15-cv-01045-RFB-(PAL)

28 **DECLARATION OF STACEY K.
GRIGSBY IN SUPPORT OF
ZUFFA, LLC'S OPPOSITION TO
PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

29 Defendant

1 I, Stacey K. Grigsby, declare as follows:

2 1. I am a member in good standing of the bars of the state of New York and the District
3 of Columbia. I am admitted *pro hac vice* to practice before this Court. I am a Partner in the law firm
4 Boies Schiller Flexner LLP (“BSF”), counsel for Zuffa, LLC (“Zuffa”) in the above captioned action
5 in the U.S. District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No. 2:15-cv-01045-RFP-
6 PAL.

7 2. I make this declaration in support of Zuffa’s Opposition to Plaintiffs’ Motion for
8 Class Certification (“Opposition”).

9 3. Based on my review of the files, records, and communications in this case, I have
10 personal knowledge of the facts set forth in this Declaration and, if called to testify, could and would
11 testify competently to those facts under oath.

12 4. Certain documents attached as exhibits to this Declaration as exhibits have red boxes
13 added to them to indicate text cited in the Opposition. Except for those red boxes, the attached
14 documents are, as indicated below, true and correct copies of the documents cited in the Opposition.

15 5. Exhibit 1 to this Declaration is a true and correct copy of the Declaration of Robert H.
16 Topel dated April 6, 2018.

17 6. Exhibit 2 to this Declaration is a true and correct copy of the Expert Report of
18 Professor Robert H. Topel dated October 27, 2017.

19 7. Exhibit 3 to this Declaration is a true and correct copy of the Expert Report of Roger
20 D. Blair dated November 15, 2017.

21 8. Exhibit 4 to this Declaration is a true and correct copy of the Expert Report of Paul
22 Oyer dated October 27, 2017.

23 9. Exhibit 5 to this Declaration is a true and correct copy of the Expert Report of Dr. Hal
24 Singer dated August 31, 2017.

25 10. Exhibit 6 to this Declaration is a true and correct copy of the Rebuttal Report of Dr.
26 Hal J. Singer dated January 12, 2018.

27 11. Exhibit 7 to this Declaration is a true and correct copy of the Expert Report of
28 Andrew Zimbalist, dated August 30, 2017, and the Errata to the Expert Report of Andrew Zimbalist,

1 dated September 19, 2017.

2 12. Exhibit 8 to this Declaration is a true and correct copy of excerpts from the 30(b)(6)
3 deposition of Kirk D. Hendrick, taken on November 29, 2016 and November 30, 2016.

4 13. Exhibit 9 to this Declaration is a true and correct copy of excerpts of the deposition of
5 Jon Fitch taken on February 15, 2017.

6 14. Exhibit 10 to this Declaration is a true and correct copy of excerpts of the deposition
7 of Denitza Batchvarova taken on January 25, 2017.

8 15. Exhibit 11 to this Declaration is a true and correct copy of excerpts of the 30(b)(6)
9 deposition of Ike Lawrence Epstein taken on December 2, 2016.

10 16. Exhibit 12 to this Declaration is a true and correct copy of a document bearing the
11 Bates number ZFL-1470651 and dated September 14, 2011, which Zuffa produced in this action.

12 17. Exhibit 13 to this Declaration is a true and correct copy of a document bearing the
13 Bates number ZFL-1470629 and dated September 15, 2011, which Zuffa produced in this action.

14 18. Exhibit 14 to this Declaration is a true and correct copy of a document bearing the
15 Bates number ZFL-1470592 and dated July 25, 2011, which Zuffa produced in this action.

16 19. Exhibit 15 to this Declaration is a true and correct copy of excerpts of the deposition
17 of Javier Vazquez taken on February 14, 2017.

18 20. Exhibit 16 to this Declaration is a true and correct copy of excerpts of the deposition
19 of Kyle Kingsbury taken on February 17, 2017.

20 21. Exhibit 17 to this Declaration is a true and correct copy of a document bearing the
21 Bates number ZFL-1470622 and dated October 7, 2011, which was produced by Zuffa in this action.

22 22. Exhibit 18 to this Declaration is a true and correct copy of a document bearing the
23 Bates number ZFL-1470624 and dated November 12, 2011, which was produced by Zuffa in this
24 action.

25 23. Exhibit 19 to this Declaration is a true and correct copy of a document bearing the
26 Bates number ZFL-0414108 and dated January 7, 2007, which was produced by Zuffa in this action.

27 24. Exhibit 20 to this Declaration is a true and correct copy of a document bearing the
28 Bates number ZFL-0003678 and dated December 7, 2009, which was produced by Zuffa in this

1 action.

2 25. Exhibit 21 to this Declaration is a true and correct copy of a document bearing the
 3 Bates number ZFL-0500355 and dated September 22, 2010, which was produced by Zuffa in this
 4 action.

5 26. Exhibit 22 to this Declaration is a true and correct copy of a document bearing the
 6 Bates number ZFL-0510939 and dated October 18, 2011, which was produced by Zuffa in this
 7 action.

8 27. Exhibit 23 to this Declaration is a true and correct copy of a document bearing the
 9 Bates number ZFL-0833941 and dated April 01, 2015, which was produced by Zuffa in this action.

10 28. Exhibit 24 to this Declaration is a true and correct copy of a document bearing the
 11 Bates number ZFL-0091127 and dated March 28, 2014, which was produced by Zuffa in this action.

12 29. Exhibit 25 to this Declaration is a true and correct copy of a document bearing the
 13 Bates number ZFL-0500961 and dated August 10, 2015, which was produced by Zuffa in this action.

14 30. Exhibit 26 to this Declaration is a true and correct copy of a document bearing the
 15 Bates number ZFL-0500960 and dated August 11, 2015, which was produced by Zuffa in this action.

16 31. Exhibit 27 to this Declaration is a true and correct copy of an article by Damon
 17 Martin titled “Aljamain Sterling inks new deal to stay with the UFC” dated February 15, 2016,
 18 which was downloaded March 26, 2018 from <https://www.foxsports.com/ufc/story/ufc-aljamain-sterling-new-ufc-contract-inks-deal-free-agency-021516>.

20 32. Exhibit 28 to this Declaration is a true and correct copy of excerpts of the deposition
 21 of Michael Mersch taken on July 14, 2017. The exhibit combines excerpts from the morning and
 22 afternoon sessions, which were transcribed separately.

23 33. Exhibit 29 to this Declaration is a true and correct copy of a document bearing the
 24 Bates number ZFL-0818970 and dated March 02, 2015, which was produced by Zuffa in this action.

25 34. Exhibit 30 to this Declaration is a true and correct copy of a document bearing the
 26 Bates number ZFL-0823267, dated June 05, 2015, which was produced by Zuffa in this action.

27 35. Exhibit 31 to this Declaration is a true and correct copy of a document bearing the
 28 Bates number ZFL-0822937, dated June 05, 2015, which was produced by Zuffa in this action.

1 36. Exhibit 32 to this Declaration is a true and correct copy of a document bearing Bates
 2 number ZFL-0823286, dated May 14, 2015, which was produced by Zuffa in this action.

3 37. Exhibit 33 to this Declaration is a true and correct copy of a document bearing Bates
 4 number ZFL-0467079, dated August 21, 2014, which was produced by Zuffa in this action.

5 38. Exhibit 34 to this Declaration is a true and correct copy of an article by Bryan Armen
 6 Graham titled “New York ends ban and becomes 50th state to legalize mixed martial arts,” dated
 7 March 22, 2016, which was downloaded March 26, 2018 from
 8 <https://www.theguardian.com/sport/2016/mar/22/new-york-legalizes-mma-ufc>.

9 39. Exhibit 35 to this Declaration is a true and correct copy of a document bearing the
 10 Bates number ZFL-2188045, dated March 9, 2009, which was produced by Zuffa in this action.

11 40. Exhibit 36 to this Declaration is a true and correct copy of excerpts of the deposition
 12 of Scott Coker taken on August 3, 2017.

13 41. Exhibit 37 to this Declaration is a true and correct copy of the article by Steve Juon
 14 titled “Bellator 192 Ratings: 1.3 million viewers tune in for ‘Rampage vs Sonnen’ main event,”
 15 dated January 24, 2018, which was downloaded March 29, 2018 from
 16 <https://www.mmamania.com/2018/1/24/16925068/bellator-192-rampage-vs-sonnen-tops-1-3-million-viewers-for-the-main-event>.

18 42. Exhibit 38 to this Declaration is a true and correct copy of excerpts of the deposition
 19 of Carlos Silva taken on April 18, 2017.

20 43. Exhibit 39 to this Declaration is a true and correct copy of the article from
 21 MMAJunkie.com titled “Emmy-winning producer Mark Burnett joins Professional Fighters League
 22 as investor, advisor,” dated April 1, 2018, which was downloaded April 5, 2018 from
 23 <http://mmajunkie.com/2018/04/emmy-winning-producer-mark-burnett-joins-professional-fighters-league-as-investor-advisor>.

25 44. Exhibit 40 to this Declaration is a true and correct copy of the article by Marc
 26 Raimondi titled “Will Brooks announces he was cut by the UFC, is entering PFL’s \$ 1 million
 27 tournament,” dated February 14, 2018, which was downloaded April 5, 2018 from
 28 <https://www.mmafighting.com/2018/2/14/17015038/will-brooks-announces-he-was-cut-by-the-ufc->

1 [is-entering-pfls-1-million-tournament.](#)

2 45. Exhibit 41 to this Declaration is a true and correct copy of a webpage titled “About
3 ONE Championship,” which was downloaded March 26, 2018 from <https://onefc.com/about-one/>.

4 46. Exhibit 42 to this Declaration is a true and correct copy of excerpts of the deposition
5 of Lorenzo Fertitta taken on March 23, 2017.

6 47. Exhibit 43 to this Declaration is a true and correct copy of excerpts of the deposition
7 of Joe Silva taken on June 7, 2017.

8 48. Exhibit 44 to this Declaration is a true and correct copy of excerpts of the 30(b)(6)
9 deposition of Ike Lawrence Epstein taken on August 15, 2017.

10 49. Exhibit 45 to this Declaration is a true and correct copy of a document bearing the
11 Bates number LEPLAINTIFFS-0042863, an agreement made on July 10, 2014, which was produced
12 to Zuffa by Plaintiffs in this action.

13 50. Exhibit 46 to this Declaration is a true and correct copy of a document bearing the
14 Bates number Z.E._002623, dated March 08, 2013, which was produced by a third party in this
15 action.

16 51. Exhibit 47 to this Declaration is a true and correct copy of a document bearing the
17 Bates number Z.E._002594, dated September 13, 2015, which was produced by a third party in this
18 action.

19 52. Exhibit 48 to this Declaration is a true and correct copy of an article by Ariel Helwani
20 titled “Jon Fitch signs with Bellator,” dated March 1, 2018, which was downloaded March 27, 2018
21 from <https://www.mmafighting.com/2018/3/1/17066990/jon-fitch-signs-with-bellator>.

22 53. Exhibit 49 to this Declaration is a true and correct copy of excerpts of the deposition
23 of Dr. Hal J. Singer taken on September 27, 2017.

24 54. Exhibit 50 to this Declaration is a true and correct copy of excerpts of the deposition
25 of Professor Andrew Zimbalist taken on September 25, 2017.

26 55. Exhibit 51 to this Declaration is a true and correct copy of a document bearing the
27 Bates number ZFL-1212124, dated January 25, 2012, and produced by Zuffa in this action.

28 56. Exhibit 52 to this Declaration is a true and correct copy of excerpts of Plaintiffs’

1 Answers to Zuffa's First Set of Interrogatories to Plaintiffs Le, Quarry, Fitch, Vera, Vazquez, and
 2 Kingsbury dated September 16, 2016 in addition to Plaintiffs' verifications of their interrogatory
 3 answers.

4 57. Exhibit 53 to this Declaration is a true and correct copy of a document bearing the
 5 Bates number ZFL-1004962, dated May 13, 2014, which was produced by Zuffa in this action.

6 58. Exhibit 54 to this Declaration is a true and correct copy of a document bearing the
 7 Bates number ZFL-0504035, dated June 19, 2010, which was produced by Zuffa in this action.

8 59. Exhibit 55 to this Declaration is a true and correct copy of a document bearing the
 9 Bates number ZFL-0876450, dated October 24, 2014, which was produced by Zuffa in this action.

10 60. Exhibit 56 to this Declaration is a true and correct copy of excerpts of the deposition
 11 of Brandon Vera taken on February 16, 2017.

12 61. Exhibit 57 to this Declaration is a true and correct copy of a document bearing the
 13 Bates number ZFL-0003676, dated December 3, 2009, which was produced by Zuffa in this action.

14 62. Exhibit 58 to this Declaration is a true and correct copy of a document bearing the
 15 Bates number LEPLAINTIFFS-0126559, dated May 24, 2012, which was produced by Plaintiffs in
 16 this action.

17 63. Exhibit 59 to this Declaration is a true and correct copy of a document bearing the
 18 Bates number ZFL-0532059, dated November 29, 2010, which was produced by Zuffa in this action.

19 64. Exhibit 60 to this Declaration is a true and correct copy of a document bearing the
 20 Bates number ZFL-2679837, dated February 27, 2009, which was produced by Zuffa in this action.

21 65. Exhibit 61 to this Declaration is a true and correct copy of the Expert Report of
 22 Elizabeth Kroger Davis dated October 27, 2017.

23 66. Exhibit 62 to this Declaration is a true and correct copy of an excerpt of a book by
 24 Michael A. Hitt, R. Duane Ireland, Robert E. Hoskisson, titled *Strategic Management Cases: Competitiveness and Globalization*, 10th edition, which was published in 2012.

25 67. Exhibit 63 to this Declaration is a true and correct copy of an article by Mark
 26 Raimondi titled "Leslie Smith launches Project Spearhead, a fighter-driven effort to get UFC athletes
 27 unionized," dated February 13, 2018, which was downloaded March 26, 2018 from
 28

1 [https://www.mmafighting.com/2018/2/13/17006622/leslie-smith-launches-project-spearhead-a-fighter-driven-effort-to-get-ufc-athletes-unionized.](https://www.mmafighting.com/2018/2/13/17006622/leslie-smith-launches-project-spearhead-a-fighter-driven-effort-to-get-ufc-athletes-unionized)

2

3 68. Exhibit 64 to this Declaration is a true and correct copy of excerpts of the deposition
4 of Dr. Hal J. Singer taken on January 23, 2018.

5 69. Exhibit 65 to this Declaration is a true and correct copy of a document bearing the
6 Bates number ZFL-1037856, dated April 30, 2015, which was produced by Zuffa in this action.

7 70. Exhibit 66 to this Declaration is a true and correct copy of excerpts of the 30(b)(6)
8 deposition of Ike Lawrence Epstein taken on July 21, 2017.

9 71. Exhibit 67 to this Declaration is a true and correct copy of a document bearing the
10 Bates number ZFL-0493435, dated July 6, 2009, which was produced by Zuffa in this action.

11 72. Exhibit 68 to this Declaration is a true and correct copy of excerpts of the deposition
12 of Cung Le taken on April 11, 2017.

13 73. Exhibit 69 to this Declaration is a true and correct copy of a document bearing the
14 Bates number ZFL-2535445, dated September 12, 2011, which was produced by Zuffa in this action.

15 74. Exhibit 70 to this Declaration is a true and correct copy of a document bearing the
16 Bates number ZFL-1489313, dated July 10, 2012, which was produced by Zuffa in this action.

17 75. Exhibit 71 to this Declaration is a true and correct copy of a document bearing the
18 Bates number ZFL-0661259, dated June 19, 2011, which was produced by Zuffa in this action.

19 76. Exhibit 72 to this Declaration is a true and correct copy of excerpts of the 30(b)(6)
20 deposition of Michael Mossholder, which was taken on November 30, 2016 and December 1, 2016.

21 77. Exhibit 73 to this Declaration is a true and correct copy of the article by Mark La
22 Monica titled “Dana White says Sage Northcutt deserves big paycheck,” dated January 30, 2016,
23 which was downloaded March 26, 2018 from [https://www.newsday.com/sports/mixed-martial-arts/dana-white-says-sage-northcutt-deserves-big-paycheck-1.11411455.](https://www.newsday.com/sports/mixed-martial-arts/dana-white-says-sage-northcutt-deserves-big-paycheck-1.11411455)

25 78. Exhibit 74 to this Declaration is a true and correct copy of a document bearing the
26 Bates number ZFL-2640268, dated October 16, 2007, which was produced by Zuffa in this action.

27 79. Exhibit 75 to this Declaration is a true and correct copy of a document bearing the
28 Bates number ZFL-2534954, dated January 21, 2010, which was produced by Zuffa in this action.

1 80. Exhibit 76 to this Declaration is a true and correct copy of a document bearing the
 2 Bates number ZFL-0899197, dated March 9, 2013, which was produced by Zuffa in this action.

3 81. Exhibit 77 to this Declaration is a true and correct copy of a document bearing the
 4 Bates number ZFL-0424398, dated October 03, 2014, which was produced by Zuffa in this action.

5 82. Exhibit 78 to this Declaration is a true and correct copy of a document bearing the
 6 Bates number ZFL-0127052, dated September 13, 2011, which was produced by Zuffa in this action.

7 83. Exhibit 79 to this Declaration is a true and correct copy of a document bearing the
 8 Bates number ZFL-0827820, dated February 13, 2014, which was produced by Zuffa in this action.

9 84. Exhibit 80 to this Declaration is a true and correct copy of excerpts of the deposition
 10 of Sean Shelby taken on April 12, 2017.

11 85. Exhibit 81 to this Declaration is a true and correct copy of a document bearing the
 12 Bates number ZFL-0895314, dated January 2015, which was produced by Zuffa in this action.

13 86. Exhibit 82 to this Declaration is a true and correct copy of a document bearing the
 14 Bates number ZFL-1363950, dated August 12, 2013, which was produced by Zuffa in this action.

15 87. Exhibit 83 to this Declaration is a true and correct copy of a document bearing the
 16 Bates number ZFL-1078501, dated January 20, 2015, which was produced by Zuffa in this action.

17 88. Exhibit 84 to this Declaration is a true and correct copy of a document bearing the
 18 Bates number ZFL-1009217, dated May 16, 2013, which was produced by Zuffa in this action.

19 89. Exhibit 85 to this Declaration is a true and correct copy of excerpts of the deposition
 20 of Dana F. White Dep. taken on August 9, 2017 and August 10, 2017.

21 90. Exhibit 86 to this Declaration is a true and correct copy of a document bearing the
 22 Bates number ZFL-0997899, dated December 05, 2013, which was produced by Zuffa in this action.

23 91. Exhibit 87 to this Declaration is a true and correct copy of a document containing
 24 histograms and titled “Summary of UFC Class Period Event Compensation by Number of Previous
 25 Bouts.” These histograms were prepared as described in the Declaration of Brent K. Nakamura in
 26 Support of Zuffa’s Opposition to Plaintiffs’ Motion for Class Certification (“Nakamura
 27 Declaration”), which is attached to the Declaration of William A. Isaacson in Support of Zuffa’s
 28 Opposition to Plaintiffs’ Motion for Class Certification (“Isaacson Declaration”).

1 92. Exhibit 88 to this Declaration is a true and correct copy of a document containing
 2 histograms and titled “Summary of UFC Class Period Event Compensation by Number of Previous
 3 Wins.” These histograms were prepared as described in the Nakamura Declaration.

4 93. Exhibit 89 to this Declaration is a true and correct copy of a document containing
 5 histograms and titled “Summary of UFC Class Period Event Compensation by Athlete Ranking.”
 6 These histograms were prepared as described in the Nakamura Declaration.

7 94. Exhibit 90 to this Declaration is a true and correct copy of a document bearing the
 8 Bates number ZFL-2196373, dated January 27, 2010, which was produced by Zuffa in this action.

9 95. Exhibit 91 to this Declaration is a true and correct copy of a document bearing the
 10 Bates number ZFL-2197579, dated March 23, 2010, which was produced by Zuffa in this action.

11 96. Exhibit 92 to this Declaration is a true and correct copy of a chart titled “Forms of
 12 UFC Compensation” listing and describing, with examples taken from exhibits to this Declaration,
 13 the forms of compensation paid by to Zuffa to athletes.

14 97. Exhibit 93 to this Declaration is a true and correct copy of a document bearing the
 15 Bates number ZFL-0018632, dated August 28, 2014, which was produced by Zuffa in this action.

16 98. Exhibit 94 to this Declaration is a true and correct copy of a document bearing the
 17 Bates number Z.E._001174, dated October 29, 2009, which was produced by a third party in this
 18 action.

19 99. Exhibit 95 to this Declaration is a true and correct copy of a document bearing the
 20 Bates number ZFL-0112231, dated January 24, 2012, which was produced by Zuffa in this action.

21 100. Exhibit 96 to this Declaration is a true and correct copy of a document bearing the
 22 Bates number ZFL-0130536, dated April 27, 2012, which was produced by Zuffa in this action.

23 101. Exhibit 97 to this Declaration is a true and correct copy of a document bearing the
 24 Bates number ZFL-2681281, dated January 14, 2013, which was produced by Zuffa in this action.

25 102. Exhibit 98 to this Declaration is a true and correct copy of a document bearing the
 26 Bates number ZFL-0001960, dated December 31, 2012, which was produced by Zuffa in this action.

27 103. Exhibit 99 to this Declaration is a true and correct copy of a document bearing the
 28 Bates number ZFL-2655937, dated October 1, 2015, which was produced by Zuffa in this action.

1 104. Exhibit 100 to this Declaration is a true and correct copy of a document bearing the
 2 Bates number ZFL-0133858, dated November 13, 2013, which was produced by Zuffa in this action.

3 105. Exhibit 101 to this Declaration is a true and correct copy of a document bearing the
 4 Bates number ZFL-0200442, dated August 20, 2013, which was produced by Zuffa in this action.

5 106. Exhibit 102 to this Declaration is a true and correct copy of a document bearing the
 6 Bates number ZFL-0158480, dated July 24, 2013, which was produced by Zuffa in this action.

7 107. Exhibit 103 to this Declaration is a true and correct copy of a document bearing the
 8 Bates number ZFL-0154198, dated November 15, 2014, which was produced by Zuffa in this action.

9 108. Exhibit 104 to this Declaration is a true and correct copy of a document bearing the
 10 Bates number ZFL-265805, dated February 16, 2016, which was produced by Zuffa in this action.

11 109. Exhibit 105 to this Declaration is a true and correct copy of a document bearing the
 12 Bates number ZFL-0107575, dated December 29, 2014, which was produced by Zuffa in this action.

13 110. Exhibit 106 to this Declaration is a true and correct copy of a document bearing the
 14 Bates number ZFL-0146240, dated February 24, 2014, which was produced by Zuffa in this action.

15 111. Exhibit 107 to this Declaration is a true and correct copy of a document bearing the
 16 Bates number ZFL-0393668, dated August 26, 2015, which was produced by Zuffa in this action.

17 112. Exhibit 108 to this Declaration is a true and correct copy of a document bearing the
 18 Bates number ZFL-0039043, dated December 3, 2014, which was produced by Zuffa in this action.

19 113. Exhibit 109 to this Declaration is a filtered excerpt of a native document produced by
 20 Zuffa in this action bearing the Bates number ZFL-2764800, which lists athletes who received PPV
 21 payments during the class period, as further described in paragraph 15 of the Nakamura Declaration.

22 114. Exhibit 110 to this Declaration is a true and correct copy of a document bearing the
 23 Bates number ZFL-0809032, dated March 26, 2015, which was produced by Zuffa in this action.

24 115. Exhibit 111 to this Declaration is a true and correct copy of a document bearing the
 25 Bates number ZFL-0825858, dated May 7, 2015, which was produced by Zuffa in this action.

26 116. Exhibit 112 to this Declaration is a true and correct copy of a document bearing the
 27 Bates number ZFL-0454501, dated February 17, 2015, which was produced by Zuffa in this action.

28 117. Exhibit 113 to this Declaration is a true and correct copy of a document bearing the

1 Bates number ZFL-2681122, dated July 10, 2014, which was produced by Zuffa in this action.

2 118. Exhibit 114 to this Declaration is a true and correct copy of a document bearing the
 3 Bates number ZFL-0394006, dated July 22, 2013, which was produced by Zuffa in this action.

4 119. Exhibit 115 to this Declaration is a true and correct copy of a document bearing the
 5 Bates number ZFL-0107754, dated April 23, 2014, which was produced by Zuffa in this action.

6 120. Exhibit 116 to this Declaration is a true and correct copy of a document bearing the
 7 Bates number ZFL-0218256, dated February 18, 2013, which was produced by Zuffa in this action.

8 121. Exhibit 117 to this Declaration is a true and correct copy of a document bearing the
 9 Bates number ZFL-0945521, dated February 23, 2014, which was produced by Zuffa in this action.

10 122. Exhibit 118 to this Declaration is a filtered excerpt of a native document produced by
 11 Zuffa in this action bearing the Bates number ZFL-2764800, which lists athletes who received LOA
 12 payments during the class period, as further described in paragraph 16 of the Nakamura Declaration.

13 123. Exhibit 119 to this Declaration is a filtered excerpt of a native document produced by
 14 Zuffa in this action bearing Bates number ZFL-2764800, which lists athletes who received “Fight of
 15 the Night” bonus payments during the class period, as further described in paragraph 17 of the
 16 Nakamura Declaration.

17 124. Exhibit 120 to this Declaration is a filtered excerpt of a native document produced by
 18 Zuffa in this action bearing Bates number ZFL-2764800, which lists athletes who received
 19 “Knockout of the Night” bonus payments during the class period, as further described in paragraphs
 20 18 of the Nakamura Declaration.

21 125. Exhibit 121 to this Declaration is a filtered excerpt of a native document produced by
 22 Zuffa in this action bearing Bates number ZFL-2764800, which lists athletes who received
 23 “Submission of the Night” bonus payments during the class period, as further described in paragraph
 24 19 of the Nakamura Declaration.

25 126. Exhibit 122 to this Declaration is a filtered excerpt of a native document produced by
 26 Zuffa in this action bearing Bates number ZFL-2764800, which lists athletes who received
 27 “Performance of the Night” bonus payments during the class period, as further described in
 28 paragraph 20 of the Nakamura Declaration.

1 127. Exhibit 123 to this Declaration is a true and correct copy of a document bearing the
 2 Bates number ZFL-2284413, dated October 25, 2010, which was produced by Zuffa in this action.

3 128. Exhibit 124 to this Declaration is a true and correct copy of a document bearing the
 4 Bates number ZFL-1003278, dated May 27, 2014, which was produced by Zuffa in this action.

5 129. Exhibit 125 to this Declaration is a true and correct copy of a document bearing the
 6 Bates number ZFL-2425059, dated May 14, 2010, which was produced by Zuffa in this action.

7 130. Exhibit 126 to this Declaration is a true and correct copy of a native document
 8 bearing the Bates number ZFL-1916874, with a document creation date in the file metadata of June
 9 3, 2014, which was produced by Zuffa in this action.

10 131. Exhibit 127 to this Declaration is a true and correct copy of a document bearing the
 11 Bates number ZFL-0223914, dated August 14, 2009, which was produced by Zuffa in this action.

12 132. Exhibit 128 to this Declaration is a true and correct copy of a document bearing the
 13 Bates number ZFL-0177190, dated June 14, 2014, which was produced by Zuffa in this action.

14 133. Exhibit 129 to this Declaration is a true and correct copy of a document bearing the
 15 Bates number ZFL-0492672, dated April 18, 2013, which was produced by Zuffa in this action.

16 134. Exhibit 130 to this Declaration is a true and correct copy of a document bearing the
 17 Bates number ZFL-0477077, dated December 14, 2010, which was produced by Zuffa in this action.

18 135. Exhibit 131 to this Declaration is a true and correct copy of a document bearing the
 19 Bates number ZFL-1367368, dated February 14, 2013, which was produced by Zuffa in this action.

20 136. Exhibit 132 to this Declaration is a true and correct copy of a document bearing the
 21 Bates number ZFL-0246190, dated October 5, 2009, which was produced by Zuffa in this action.

22 137. Exhibit 133 to this Declaration is a true and correct copy of a document bearing the
 23 Bates number ZFL-1560180, dated December 13, 2011, which was produced by Zuffa in this action.

24 138. Exhibit 134 to this Declaration is a true and correct copy of a document bearing the
 25 Bates number ZFL-2611339, dated February 21, 2015, which was produced by Zuffa in this action.

26 139. Exhibit 135 to this Declaration is a true and correct copy of a document bearing the
 27 Bates number ZFL-1057413, dated December 18, 2013, which was produced by Zuffa in this action.

28 140. Exhibit 136 to this Declaration is a true and correct copy of a document bearing the

1 Bates number ZFL-0535724, dated July 14, 2015, which was produced by Zuffa in this action.

2 141. Exhibit 137 to this Declaration is a true and correct copy of excerpts from the
3 deposition of Robert H. Topel, dated December 6, 2017

4 142. Exhibit 138 to this Declaration is a true and correct copy of excerpts from the
5 deposition of Shannon Knapp taken on April 11, 2017.

6
7
8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing facts are true and correct. Executed this 6th day of April, 2018 in Washington, D.C.

10
11 /s/ Stacey K. Grigsby
12 Stacey K. Grigsby

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28